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17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 OAKLAND DIVISION

20
21 BACKWEB TECHNOLOGIES, LTD.,
22 Plaintiff,
23 v.
24 MICROSOFT CORPORATION AND
SYMANTEC CORPORATION,
25 Defendants.

26 Case No. cv 09-1224 CW

27
28 **STIPULATION AND [PROPOSED]
ORDER GRANTING MICROSOFT
EXTENSION TO SERVE ITS
INVALIDITY CONTENTIONS AND
PRODUCE ACCOMPANYING
DOCUMENTS**

WHEREAS, Defendant Symantec Corporation (“Symantec”) will serve its
Invalidity Contentions pursuant to Patent Local Rule 3-3 on November 20, 2009; and

WHEREAS, Defendant Microsoft Corporation (“Microsoft”) wishes to serve its
Invalidity Contentions on the same day as Symantec; and

WHEREAS, Plaintiff BackWeb Technologies, Ltd. (“BackWeb”) does not object to Microsoft serving its Invalidity Contentions on November 20, 2009;

IT IS HEREBY STIPULATED by and between BackWeb and Microsoft (the "Parties") through their designated counsel as follows:

1. The Parties agree that Microsoft shall have leave to serve its Invalidity Contentions pursuant to Patent Local Rule 3-3 and produce documents pursuant to Patent Local Rule 3-4 on November 20, 2009.

IT IS SO STIPULATED.

Dated: November 3, 2009

/ s / Eric L. Wesenberg / s /

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20 */s/ Bruce Wecker /s/*
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31 **CERTIFICATION PURSUANT TO GENERAL ORDER 45**

32 Pursuant to General Order 45X.B, I, Eric L. Wesenberg, attests that the above signatories
33 for the BackWeb Technologies, Ltd. have concurred and consented to the filing of this document.
34 DATED: November 3, 2009

35 */s/ Eric L. Wesenberg /s/*
36 Eric L. Wesenberg

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED THAT

Microsoft shall have leave to serve its Invalidity Contentions pursuant to Patent Local Rule 3-3 and produce documents pursuant to Patent Local Rule 3-4 on November 20, 2009.

DATED: 11/4, 2009

Chadielett

**Honorable Claudia Wilken
U.S. DISTRICT COURT JUDGE**